

1.

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN

COPY

**TIMOTHY J. RYAN and  
CHRISTINE A. RYAN,**

Plaintiffs,

Case No. 1:03-CV-439

vs.

**HON. DAVID W. McKEAGUE**

**ADELE McGINN-LOOMIS and  
MARY BENEDICT,**

Defendants.  
\_\_\_\_\_ /

**DEPOSITION OF ADELE THERESE McGINN-LOOMIS**

Taken by Plaintiffs on the 15th day of January, 2004, at the offices of Bregman & Welch, 212 Washington Avenue, Grand Haven, Michigan, before Karen L. Banks, Notary Public and Certified Electronic Recorder in and for the State of Michigan, commencing at 11:03 a.m.

**APPEARANCES:**

**For Plaintiffs:**

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**For Defendant  
McGinn-Loomis:**

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Timothy J. Ryan and Christine A.  
Ryan v. Adele McGinn-Loomis, et al

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Adele McGinn-Loomis - 1/15/04

1 up, and you remember being specific that you wanted  
2 nothing to do with that about calling a judge; right?  
3 A Correct.  
4 Q Why is that? Why didn't you want anything to do with  
5 calling a judge?  
6 A Because it'd put me in an awkward position. I felt  
7 uncomfortable with the idea.  
8 Q Why did you feel uncomfortable with the idea, putting  
9 you in an awkward position?  
10 A Because normally if you see one of the judges, you just  
11 casual, you know, common courtesy talk. You don't, you  
12 know --  
13 Q Talk to them about your business?  
14 A Not my business. I just don't -- you don't associate  
15 with them, you know. You just kind of, "Hi," you know.  
16 And if you see them at a football game or at the  
17 grocery store, "Hi, how you doin'?", give a hee-hee,  
18 you know, whatever. But you don't bother them at home.  
19 Q If you remember, what was Ms. Benedict's reaction to  
20 that?  
21 A She asked me if I could get a phone number.  
22 Q Did you?  
23 A I got a few.  
24 Q Whose numbers did you get?  
25 A Judge Hillary. What we thought -- what I thought was

Page 107

1 Judge Haynes' phone number. Peg Ryan for some reason  
2 gave me -- I called Peg Ryan because I asked her for a  
3 phone number, and I believe she had 61st District  
4 Court, Judge LaVille's number.  
5 MS. ASOKLIS: What was the name of that  
6 judge?  
7 THE WITNESS: LaVille. Jeannie LaVille.  
8 MS. ASOKLIS: Thank you.  
9 BY MR. BRADY:  
10 Q So you remember that you got a few of them. You  
11 mentioned Judge Hillary, Judge Haynes, and you called  
12 Meg Ryan -- Meg Ryan-Stout (sic.).  
13 A Peg Ryan.  
14 Q Peg Ryan-Stout. Excuse me. And you had Judge  
15 LaVille's telephone number?  
16 A Yes.  
17 Q And so far I haven't heard the name "Gardner."  
18 A When Mary called me back after I called her to give her  
19 Judge Haynes' number and she said that wasn't the  
20 correct number, I called Barb Ingram's home.  
21 Q Why did you call Barb Ingram?  
22 A To see if either I could get a phone number to give to  
23 Mary Benedict or if Judge Gardner would return Mary's  
24 phone call or something.  
25 Q Why wasn't Barb Ingram or Judge Gardner in the first

Page 108

1 list of names? Because you had Judge Hillary, Judge  
2 Haynes, and you called Meg Ryan (ph.) for some names.  
3 A I don't know.  
4 Q And as I understand, the only -- not the only, but the  
5 initiative to call Barb Ingram was the fact that the  
6 number you had for Judge Haynes was not a correct  
7 number?  
8 A Correct.  
9 Q How about Judge Hillary? What happened there? Do you  
10 know?  
11 A He called me back.  
12 Q You did call Judge Hillary?  
13 A Yeah.  
14 Q You called him at home?  
15 A He's in the phone book.  
16 Q I understand. I haven't asked you yet. That may have  
17 been my next question how you got the number. But you  
18 did call Judge Hillary?  
19 A Yeah. I got his voice mail.  
20 Q Did you call him at home?  
21 A Yeah.  
22 Q And you got the number, as you said a few seconds ago,  
23 from the telephone book?  
24 A From the regular phone book. Yeah.  
25 Q And he called you back?

Page 109

1 A Yeah.  
2 Q And when did that happen? When did he call you back?  
3 A Maybe a half hour after I called him, and I have no  
4 idea what time I called him originally.  
5 Q So we're talking about the evening of the 19th?  
6 A Correct.  
7 Q What did you say to him?  
8 A I don't know. I know he was on his car phone or cell  
9 phone in his car. I remember that because I thought it  
10 was kind of funny.  
11 Q What's funny about that?  
12 A Because it's like talking to somebody in a tin can.  
13 Q And he apparently called you and returned your phone  
14 call. When you left the message with him, was it just  
15 your name and phone number or did you tell him why you  
16 were calling?  
17 A I probably just left my name and phone number. I don't  
18 know.  
19 Q When you called, you said you don't remember what you  
20 said?  
21 A I remember asking him if I could give his number to  
22 Mary Benedict. Other than that --  
23 Q What did he say, if you remember?  
24 A I know he talked to Mary, but I don't know -- I don't  
25 know if he told me I could or I couldn't. I may have

Page 110

**Timothy J. Ryan and Christine A.  
Ryan v. Adele McGinn-Loomis, et al**

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**Adele McGinn-Loomis - 1/15/04**

1 told Mary that I found it in the phone book. I don't  
2 know. But I know that they did talk.  
3 **Q That night?**  
4 **A Yeah.**  
5 **Q But you don't know what Judge Hillary said in that**  
6 **conversation? You just --**  
7 **A I don't remember if he told me I could or I could not**  
8 **give her the number.**  
9 **Q Did you talk to Mary Benedict about your conversation**  
10 **with Judge Hillary?**  
11 **A No.**  
12 **Q So she wouldn't have known about that fact that he**  
13 **returned your phone call that you made personally to**  
14 **him?**  
15 **A I think she's the one that told me that he called her.**  
16 **I believe she may have said to me, "You must have**  
17 **gotten --" I must have called him or talked to him or**  
18 **whatever, because he had called her or something, but I**  
19 **know she had talked to him.**  
20 **Q There's one thing that I don't understand, and maybe**  
21 **you can help me. I understood what you said, that you**  
22 **wanted nothing to do with calling the judge --- judges,**  
23 **and you explained your reasons why, but yet you did**  
24 **call Judge Hillary. Why was that?**  
25 **A I knew Judge Hillary from the past from football games.**

Page 111

1 **Q And the fact that he was on Cedar Street?**  
2 **A I know the family. I've known the Hillary family for a**  
3 **long time. I went to school with some of the Hillary**  
4 **children.**  
5 **Q So your concern and resistance to call a judge -- you**  
6 **wanted nothing to do with it -- did not apply to him?**  
7 **A I guess at the time I didn't see him quite as -- I**  
8 **don't know. I don't know why I called him.**  
9 **Q And you don't know, as I understand your testimony --**  
10 **you can correct me if I'm right, because I don't want**  
11 **to misstate it. You don't even know if -- strike that.**  
12 **You don't know that Mary Benedict knew that**  
13 **you were calling Judge Hillary before he actually**  
14 **called you. You had some thought after that**  
15 **conversation you had with him that Mary referenced that**  
16 **she had a conversation with Judge Hillary? Is that**  
17 **fair?**  
18 **A Run that -- try that again.**  
19 **Q Sure. Maybe I can break it down and you can just**  
20 **answer in a short question. Your recollection is that**  
21 **sometime after your conversation with Judge Hillary**  
22 **from his car, that Mary Benedict confirmed to you that**  
23 **she had indeed spoken to Judge Hillary?**  
24 **A Yes.**  
25 **Q And your recollection is that before that time, before**

Page 112

1 that confirmation from Mary Benedict that she had a  
2 conversation with Judge Hillary, you didn't have any  
3 idea that she wanted to or intended to call Judge  
4 Hillary?  
5 **A I don't -- no, no. I don't think Judge Hillary was**  
6 **ever mentioned.**  
7 **Q So the names that you gave me --**  
8 **A That was just something I knew who they were.**  
9 **Q Hillary, Haynes, and Meg Ryan (sic.) gave you the name**  
10 **of Judge Jeanine LaVille?**  
11 **A Right.**  
12 **Q But you never --**  
13 **A I know who those people -- those were phone numbers I**  
14 **could find in the phone book. That's how I picked**  
15 **numbers.**  
16 **Q And you did not talk about those three with Ms.**  
17 **Benedict?**  
18 **A No, I did not.**  
19 **Q And in one of the conversations -- not the first**  
20 **conversations, principally I think because you said you**  
21 **had the wrong number on Judge Haynes, that led you to**  
22 **call Judge Gardner's court reporter, Barb Ingram, who**  
23 **you knew from work?**  
24 **A Correct.**  
25 **Q Now, that night, the 19th, from your home did you talk**

Page 113

1 to Judge Gardner?  
2 **A Yes.**  
3 **Q You did?**  
4 **A For about thirty seconds or less.**  
5 **Q How did that happen?**  
6 **A Judge Gardner called me.**  
7 **Q You were at your home?**  
8 **A Pardon me?**  
9 **Q You were at your home?**  
10 **A Yes.**  
11 **Q Was this after you had had your telephone conversation**  
12 **with Barb --**  
13 **A Ingram.**  
14 **Q Yes. It was after that?**  
15 **A I did not speak to Barb Ingram.**  
16 **Q Did you leave her a voice mail message?**  
17 **A No. I talked to her daughter.**  
18 **Q And did you leave a detailed message with the daughter?**  
19 **A No.**  
20 **Q What did you tell the daughter?**  
21 **A I believe I told the daughter -- I believe I told the**  
22 **daughter that I was looking to get Judge Gardner's**  
23 **number to pass on to Mary Benedict, and that if Barb**  
24 **had any questions, to call me back, and I gave her my**  
25 **home number.**

Page 114

1 Q So you never really spoke to her; is that correct?  
 2 A To Barb?  
 3 Q Yes.  
 4 A I never spoke to Barb.  
 5 Q The next call after you left that message with Barb's  
 6 daughter was -- in terms of that situation was a call  
 7 you received from Judge Gardner?  
 8 A Correct.  
 9 Q And not to repeat it, because I think you were clear,  
 10 is that you never initiated a call with Judge Gardner?  
 11 A I never initiated the call to Judge Gardner.  
 12 Q The message to Barb was, "Is it okay if I give -- if we  
 13 give" -- because you had to get the number from Barb --  
 14 "if we give the number to Mary Benedict so that Mary  
 15 Benedict could call the judge?"  
 16 A Correct.  
 17 Q But the next thing that happened is that the judge  
 18 called you?  
 19 A Correct.  
 20 Q What was that conversation about, if you remember?  
 21 A With Judge Gardner?  
 22 Q Yes.  
 23 A I asked her if I could give her number to Mary  
 24 Benedict. Mary needed to speak with her.  
 25 Q Did you tell the judge about what?

Page 115

1 A No.  
 2 Q Any idea that this is about a girl that had been taken  
 3 away from home?  
 4 A No.  
 5 Q Maybe a kidnapping or --  
 6 A No.  
 7 Q Just that Mary Benedict needed to talk to her?  
 8 A Correct.  
 9 Q Did you tell her that this was about the young lady who  
 10 was the girlfriend of your son?  
 11 A No.  
 12 Q You didn't tell her anything about anything?  
 13 A No.  
 14 Q Just call, "Is it all right if Mary Benedict calls you  
 15 at home?"  
 16 A Correct.  
 17 Q And if Judge Gardner recalls it that you called her at  
 18 home, at least to the best of your recollection, Judge  
 19 Gardner is in error?  
 20 A I'm sorry?  
 21 Q If Judge Gardner recalls it that you called her at home  
 22 as opposed to she calling you at home, that's just, in  
 23 terms of your recollection, as best you remember it,  
 24 that's not accurate? She called you?  
 25 A That is correct. Yes.

Page 116

1 MS. BREGMAN: Can we stop for just a minute?  
 2 MR. BRADY: Sure.  
 3 MS. BREGMAN: I'm going to take a two-second  
 4 break here.  
 5 (From 2:18 p.m. to 2:28 p.m., deposition in  
 6 recess.)  
 7 BY MR. BRADY:  
 8 Q Talking about the night of the 19th, did you ever leave  
 9 your home to go down to your office downtown? I'm  
 10 talking about the night of the 19th.  
 11 A To go where the night of the 19th?  
 12 MS. BREGMAN: To your office.  
 13 BY MR. BRADY:  
 14 Q Downtown to your office.  
 15 A No.  
 16 Q Did you ever leave your home to go to Ms. Benedict's  
 17 office?  
 18 A No.  
 19 Q Did you ever meet with Ms. Benedict the night of the  
 20 19th?  
 21 A Yes.  
 22 Q Where was that?  
 23 A Veteran's Memorial Park.  
 24 Q That's over by Park Congregational Church or by the  
 25 "Y"?

Page 117

1 A Yes.  
 2 Q The YMCA?  
 3 A Correct.  
 4 Q What time was that?  
 5 A I think it was after 8:30.  
 6 Q How did that happen? I mean, how did you happen to  
 7 meet Ms. Benedict at Veteran's Memorial Park?  
 8 A Mary said that she was going to meet Judge Gardner  
 9 someplace to discuss getting the ex parte order signed,  
 10 and if I would meet her down there, she would fax the  
 11 ex parte order to Wayne County Sheriffs or something.  
 12 I don't know. She was going to fax it and she needed  
 13 me to bring her the number.  
 14 Q What number? Do you know?  
 15 A I think it was -- it was either -- I think it was Wayne  
 16 County Sheriff's Department.  
 17 Q She needed you to bring her the Wayne County Sheriff's  
 18 number?  
 19 A Yes.  
 20 Q Why would she need you to bring her that number?  
 21 A She was going to meet Judge Gardner. She needed the  
 22 number. Could I call and get the number and meet her  
 23 and give it to her.  
 24 Q So your meeting at 8:30 at Veteran's Memorial Park with  
 25 Mary Benedict was before, to the best of your knowledge

Page 118

STATE OF MICHIGAN     )  
                                      ) ss.  
COUNTY OF IONIA     )

I certify that this transcript, consisting of 183  
pages, is a complete, true, and correct record of the  
testimony of Adele Therese McGinn-Loomis, taken in this case  
on January 15, 2004.

I also certify that prior to taking this deposition,  
Adele Therese McGinn-Loomis was duly sworn to tell the  
truth.

I also certify that I am not a relative or employee of  
or an attorney for a party; or a relative of an attorney for  
a party; or financially interested in the action.

Date: January 18, 2004

*Karen L. Banks*  
Karen L. Banks, CER 3592

Page 183